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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: BAKER 2

In re Application of:	)	Art Unit: 1746
Robert BAKER	)	Examiner: CHAUDHRY
Serial No.: 10/046,560	)	Confirmation No. 1788
Filed: January 16, 2002	)	Washington D.C.
For: METHOD AND APPARATUS FOR CLEANING AIR…	)	September 2, 2003

RESPONSE TO RESTRICTION REQUIREMENT

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

The Office Action of June 3, 2003, in the nature of a requirement for restriction, has been carefully reviewed. Favorable consideration is respectfully requested.

Restriction has been required between what the Examiner considers to be two patentably distinct inventions, namely,

> Group I directed to a system comprising an intake manifold, a control device, at least one container and an outlet, presently comprising claims 1-14; and
>
> Group II, drawn to a method for cleaning an evaporator core in an air handling system, presently comprising claims 15-23.

Applicants hereby provisionally elect, with

traverse and without prejudice, claims 1-14, Group I, directed to a system for cleaning the evaporator cores of an air handling system..

This restriction requirement is traversed on the basis of MPEP Section 803, second paragraph, which **requires** that there be a substantial burden in examining plural groups, even if the restriction requirement is otherwise correct. In the present case, the method for cleaning an evaporator of an air handling system claims a process in which the particular components of the claimed system are used. Moreover, it is respectfully submitted that different classifications for the two groups is largely immaterial, since it is assumed that the Examiner will search online rather than manually, and that a search which encompasses the system would necessarily include methods for using the system. Since there appears to be no serious burden, the restriction requirement should be withdrawn, and such is respectfully requested.

If the restriction requirement is maintained, it will be clear on the record that the PTO considers the two groups to be **patentably distinct** from one another *i.e., prima facie* **non-obvious** from one another. This means that a reference identical to the one group would not render the other group *prima facie* obvious.

Favorable consideration is respectfully requested.

Respectfully submitted,

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